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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

THE PEOPLE,

Plaintiff and Respondent,

v.

TERRANCE NIGUEL JONES,

Defendant and Appellant.

F056724

(Super. Ct. No. F06904147-6)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Fresno County. W. Kent Hamlin, Judge.

John P. Dwyer, under appointment by the Court of Appeal, for Defendant and Appellant.

Office of the State Attorney General, Sacramento, California, for Plaintiff and Respondent.

*Before Wiseman, Acting P.J., Kane, J., and Poochigian, J.

On June 13, 2006, at approximately 4:00 a.m. appellant, Terrance Niguel Jones, and another man entered an AM/PM minimart in Fresno. Jones approached clerk, Robert Gonzales, lifted his shirt, exposing a gun in one of his pants pocket, and said, “Give me your fuckin’ money.” After Gonzales gave Jones the money from the register, Jones told Gonzales to give him the money from a second register. Another employee gave Jones the money from the other register and Jones and his confederate fled. Gonzales followed the men outside, got a description of the car they left in, and called the police.

Fresno Police officers soon spotted the car and followed it to an apartment complex where they conducted a felony stop. The officers found a chrome revolver under the driver’s seat in front of where Jones was sitting in the back seat and a pill of ecstasy in one of Jones’s pants pockets. The two store employees were taken to the scene and each identified Jones as the man who robbed them.

On November 16, 2006, the district attorney filed an information charging Jones with second degree robbery (count 1/Pen. Code, § 211),¹ possession of a firearm by a felon (count 2/§ 12021, subd. (a)(1)), carrying a loaded firearm (count 3/§ 12031, subd. (a)(1)), possession of ammunition by a felon (count 4/§ 12316, subd. (b)(1)), carrying a concealed weapon in a vehicle (count 5/§ 12025, subd. (a)(1)), and possession of ecstasy (count 6/Health & Saf. Code, § 11377, subd. (a)). Count 1 also alleged that Jones personally used a firearm in committing the robbery offense charged in that count (§12022.53, subd. (b)). The information also alleged a serious felony enhancement (§ 667, subd. (a)(1)), two prior prison term enhancements (§ 667.5, subds. (a) & (b)) and that Jones had a prior conviction within the meaning of the three strikes law (§ 667, subds. (b)-(i)).

¹ Unless otherwise indicated, all further statutory references are to the Penal Code.

On February 16, 2007, the court denied Jones motion to set aside the information.

On July 31, 2008, Jones pled no contest to robbery and admitted the arming enhancement in that count, the serious felony enhancement, and the prior strike allegations in exchange for a stipulated, aggregate 17-year term and the dismissal of the remaining counts and allegations.

On December 17, 2008, the court struck Jones's strike conviction and sentenced him to the stipulated 17-year term: the mitigated term of two years on his robbery conviction, a 10-year arming enhancement, and a five-year serious felony enhancement.

Jones's appellate counsel has filed a brief which summarizes the facts, with citations to the record, raises no issues, and asks this court to independently review the record. (*People v. Wende* (1979) 25 Cal.3d 436.) Jones has not responded to this court's invitation to submit additional briefing.

Following independent review of the record, we find that no reasonably arguable factual or legal issues exist.

The judgment is affirmed.